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January 14, 2013

BY E.C.F.
Honorable Arlene Rosario Lindsay
United States Magistrate Judge
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

RE: Scott Eberle v. The Town of Southampton, et al.
Case Number: 12-CV- 04472

Dear Judge Lindsay,

I represent the plaintiff, Scott Eberle, in this action. This is a Civil Rights action arising from an incident that occurred on August 3, 2011 within the Southampton Town Police Station. It is plaintiff's position that he was violently assaulted and battered by Detective Steven Miller during an interrogation.

On December 17, 2012 the plaintiff served the Defendants with a Notice of Discovery And Inspection (Exhibit "A"). On January 8, 2013 my office received a letter (Exhibit "B") from Kelly Wright, Esq. informing me that they would not be responding to this demand. The only thing objectionable about plaintiff's demand is that it calls for the production of discovery within twenty (20) days. This clearly could have been resolved by the parties without judicial intervention. In fact, during a conversation I recently had with Ms. Wright I suggested just that.

It is respectfully requested that the Court grant plaintiff permission to move this court for an order compelling the Defendants to respond to plaintiff's Notice for Discovery And Inspection by a date certain.

Thank you for your kind and considerate intervention in this matter.

Respectfully submitted,

John J. Nonnenmacher

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